

Daily Digest

HIGHLIGHTS

Senate passed the Ronald W. Reagan National Defense Authorization Act.

The House passed H.R. 4548, Intelligence Authorization Act for Fiscal Year 2005.

House Committees ordered reported 10 sundry measures, including the following appropriations for fiscal year 2005: Commerce, Justice, State, Judiciary and Related Agencies; Agriculture, Rural Development, Food and Drug Administration and Related Agencies; and Legislative.

Senate

Chamber Action

Routine Proceedings, pages S7277–S7347

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2561–2571, and S. Res. 389–390. **Page S7311**

Measures Passed:

Child Nutrition and WIC Reauthorization Act: Senate passed S. 2507, to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to reauthorize child nutrition programs, after agreeing to the following amendment proposed thereto: **Pages S7244–65**

Crapo (for Cochran/Harkin) Amendment No. 3474, in the nature of a substitute. **Pages S7249–65**

Ronald W. Reagan National Defense Authorization Act: By a unanimous vote of 97 yeas (Vote No. 146), Senate passed S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, after taking action on the following amendments proposed thereto: **Pages S7204–21, S7223–26, S7230, S7277–99**

Adopted:

Bond Further Modified Amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the

Energy Employees Occupational Illness Compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose. **Pages S7204, S7218–21**

By 71 yeas to 27 nays (Vote No. 137), Warner (for McConnell) Amendment No. 3472, to require a report on the stabilization of Iraq. **Pages S7207–10, S7224**

Feingold Modified Amendment No. 3288, to rename and modify the authorities relating to the Inspector General of the Coalition Provisional Authority. **Pages S7204, S7267–68**

Landrieu/Snowe Modified Amendment No. 3315, to substitute the substantive text of S. 1916, but without the restriction on the maximum premium chargeable for SBP participation initiated by enrollment during the special period of open enrollment. **Pages S7204, S7268–70**

Reid (for Akaka) Modified Amendment No. 3414, to provide for a report on the recruitment and retention of individuals with foreign language skills. **Pages S7204, S7270–71**

Warner (for Inhofe) Modified Amendment No. 3280, to reauthorize energy saving performance contracts. **Pages S7204, S7211, S7273–74**

Levin (for Reed/Kohl) Modified Amendment No. 3355, to clarify the fiscal year 2004 funding level for a National Institute of Standards and Technology account. **Pages S7205, S7271**

Warner (for Lott) Amendment No. 3220, to repeal the authority of the Secretary of Defense to recommend that installations be placed in inactive status as part of the recommendations of the Secretary

during the 2005 round of defense base closure and realignment. **Pages S7204, S7271**

Warner (for Bennett/Hatch) Modified Amendment No. 3373, to require a report on encroachment issues affecting Utah Test and Training Range, Utah. **Page S7204**

Bingaman Modified Amendment No. 3459, to require reports on the detainment of foreign nationals by the Department of Defense and on Department of Defense investigations of allegations of violations of the Geneva Convention. **Pages S7271-72**

Levin (for Dodd) Modified Amendment No. 3311, to provide for a report on offset requirements under certain contracts. **Pages S7204, S7272**

Warner Amendment No. 3476, to provide for appropriate coordination in the preparation of the management plan for contractor security personnel. **Page S7272**

Warner Amendment No. 3477, to provide for appropriate coordination in the preparation of the report on contractor performance of security, intelligence, law enforcement, and criminal justice functions, and to add other congressional committee recipients for the report. **Page S7272**

Warner Amendment No. 3478, to provide for appropriate coordination in the preparation of the report on contractor security in Iraq, and to add other congressional committee recipients for the report. **Page S7272**

Warner Amendment No. 3479, to provide for the space posture review to be a joint undertaking of the Secretary of Defense and the Director of Central Intelligence. **Page S7272**

Warner Amendment No. 3480, to add the Select Committee on Intelligence and the Permanent Select Committee on Intelligence of the House of Representatives as recipients of the report of the panel on the future of military space launch. **Page S7272**

Warner Amendment No. 3481, to add the Director of Central Intelligence as an approving official for Department of Defense assistance to Iraq and Afghanistan military and security forces in certain cases. **Page S7272**

Levin (for Reid/Lieberman) Modified Amendment No. 3342, to require a plan on the implementation and utilization of flexible personnel management authorities in Department of Defense laboratories. **Pages S7272-73**

Warner/Levin Amendment No. 3482, to express the sense of the Senate regarding the return of members of the Armed Forces to active service upon rehabilitation from service-related injuries. **Page S7273**

Levin (for Hollings) Amendment No. 3483, to authorize, and authorize the appropriation of, \$18,140,000 for military construction at Navy Weapons Station, Charleston, South Carolina, for the

construction of a consolidated electronic integration and support facility to house the command and control systems engineering and design work of the Space and Naval Warfare Systems Center, Charleston, and to provide offsets, including the elimination of the authorization of appropriations of \$10,358,000 for military construction at Charleston, South Carolina, for the construction of a readiness center for the Army National Guard. **Page S7273**

Warner Amendment No. 3484, to add an amount for a bed-down initiative to enable the C-130 aircraft of the Idaho Air National Guard to be the permanent carrier of the SENIOR SCOUT mission shelters of the 169th Intelligence Squadron of the Utah Air National Guard. **Pages S7218-21, S7273**

Daschle Amendment No. 3468 (to Amendment No. 3409), to assure that funding is provided for veterans health care each fiscal year to cover increases in population and inflation. **Pages S7204, S7274**

Reid (for Leahy) Amendment No. 3387, relative to the treatment of foreign prisoners. (By 45 yeas to 50 nays (Vote No. 143), Senate earlier failed to table the amendment.) **Pages S7204, S7288**

Rejected:

By 48 yeas to 50 nays (Vote No. 138), Levin (for Kennedy) Amendment No. 3377, to require reports on the efforts of the President to stabilize Iraq and relieve the burden on members of the Armed Forces of the United States deployed in Iraq and the Persian Gulf region. **Pages S7204, S7225**

By 45 yeas to 53 nays (Vote No. 139), Reed Amendment No. 3353, to limit the obligation and expenditure of funds for the Ground-based Mid-course Defense program pending the submission of a report on operational test and evaluation. **Pages S7204, S7210-13, S7225**

By 40 yeas to 58 nays (Vote No. 140), Levin (for Byrd) Amendment No. 3423, to modify the number of military personnel and civilians who may be assigned or retained in connection with Plan Colombia. **Pages S7204, S7213-18, S7225-26**

By 46 yeas to 50 nays (Vote No. 144), Leahy/Corzine Amendment No. 3485 (to Amendment No. 3387), to direct the Attorney General to submit to the Committee on the Judiciary of the Senate all documents in the possession of the Department of Justice relating to the treatment and interrogation of individuals held in the custody of the United States. **Pages S7274-75, S7288-89**

Withdrawn:

Levin (for Feingold) Amendment No. 3400, to enable military family members to take leave to attend to deployment-related business and tasks. **Pages S7204, S7265-67**

Warner Amendment No. 3460 (to Amendment No. 3459), in the nature of a substitute. **Page S7204**

Warner (for Bennett) Amendment No. 3403, to prohibit a full-scale underground nuclear test of the Robust Nuclear Earth Penetrator weapon without a specific authorization of Congress. **Page S7204**

Warner (for McCain) Amendment No. 3442, to impose requirements for the leasing of aerial refueling aircraft for the Air Force. **Page S7204**

Warner (for McCain) Amendment No. 3443, to impose requirements for the aerial refueling aircraft program of the Air Force. **Page S7204**

Warner (for McCain) Amendment No. 3444, to restrict leasing of aerial refueling aircraft by the Air Force. **Page S7204**

Warner (for McCain) Amendment No. 3445, to prohibit the leasing of Boeing 767 aircraft by the Air Force. **Page S7204**

Levin (for Biden/Lugar) Amendment No. 3378, to provide certain authorities, requirements, and limitations on foreign assistance and arms exports. **Page S7204**

Levin (for Byrd) Amendment No. 3286, to restrict acceptance of compensation for contractor employment of certain executive branch policymakers after termination of service in the positions to which appointed. **Page S7204**

Levin (for Daschle) Amendment No. 3328, to require the Secretary of the Air Force to maintain 3 additional B-1 bomber aircraft, in addition to the current fleet of 67 B-1 bomber aircraft, as an attrition reserve for the B-1 bomber aircraft fleet. **Page S7204**

Levin (for Daschle) Amendment No. 3330, to authorize the provision to Indian tribes of excess non-lethal supplies of the Department of Defense. **Page S7204**

Levin (for Dayton) Amendment No. 3203, to require a periodic detailed accounting of costs and expenditures for Operation Iraqi Freedom, Operation Enduring Freedom, and all other operations relating to the Global War on Terrorism. **Page S7204**

Levin (for Dodd) Amendment No. 3310, to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to the Federal law enforcement officers in certain high-cost areas. **Page S7204**

Levin (for Graham) (FL) Amendment No. 3300, to amend the Haitian Refugee Immigration Fairness Act of 1998. **Page S7204**

Levin (for Leahy) Amendment No. 3388, to obtain a full accounting of the programs and activities of the Iraqi National Congress. **Page S7204**

Levin Amendment No. 3336, to authorize the demolition of facilities and improvements on certain military installations approved for closure under the defense base closure and realignment process. **Page S7204**

Levin (for Kennedy) Amendment No. 3201, to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page S7204**

Ensign Amendment No. 3467 (to Amendment No. 3315), to provide a fiscally responsible open enrollment authority. (Senate vitiated earlier adoption of the amendment). **Pages S7204, S7269**

During consideration of this measure today, Senate also took action the following action:

By 49 yeas to 49 nays (Vote No. 136), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974 with respect to Levin (for Corzine) Amendment No. 3303, to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55. Subsequently, the point of order that the amendment would increase mandatory spending, was sustained, and the amendment thus fell. **Pages S7223-24**

A unanimous-consent agreement was reached providing that Senator Smith be authorized to change his vote from nay to yea with respect to Vote No. 129 (changing the vote tally to 94 yeas to 3 nays), on Reed Amendment No. 3352, to increase the end strength for active duty personnel of the Army for fiscal year 2005 by 20,000 to 502,400, agreed to on June 17, 2004.

Warner (for Gregg) Amendment No. 3475 (to Amendment No. 3400), to enable military family members to take time off to attend to deployment-related business, tasks, and other family issues, fell when Levin (for Feingold) Amendment No. 3400 (listed above) was withdrawn. **Pages S7265-67**

By 49 yeas to 48 nays (Vote No. 145), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Reid (for Daschle) Amendment No. 3409, to assure that funding is provided for veterans health care each fiscal year to cover increases in population and inflation. Subsequently, the point of order that the amendment would increase mandatory spending, was sustained, and the amendment thus fell. **Page S7204, S7289-90**

Department of Defense Authorization: Senate passed S. 2401, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, and to prescribe personnel strengths for such fiscal year for the Armed Forces, after striking all after the enacting clause and inserting in lieu thereof Division A of S. 2400, National Defense Authorization, as amended. **Page S7300**

Military Construction Authorization: Senate passed S. 2402, to authorize appropriations for fiscal year 2005 for military construction, after striking all after the enacting clause and inserting in lieu thereof Division B of S. 2400, National Defense Authorization, as amended. **Page S7300**

Department of Energy Defense Activities Authorization: Senate passed S. 2403, to authorize appropriations for fiscal year 2005 for defense activities of the Department of Energy, after striking all after the enacting clause and inserting in lieu thereof Division C of S. 2400, National Defense Authorization, as amended. **Pages S7300–01**

National Defense Authorization: Senate passed H.R. 4200 to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2400, Senate companion measure, as amended and passed by the Senate. **Page S7300**

National Fetal Alcohol Spectrum Disorders Day: Senate agreed to S. Res. 390, designating September 9, 2004, as “National Fetal Alcohol Spectrum Disorders Day”. **Pages S7346–47**

Surface Transportation Extension Act: Senate passed H.R. 4635, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page S7347**

Class Action Fairness Act—Agreement: A unanimous-consent agreement was reached providing that the previous order with respect to S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, be vitiated, and the Senate then proceed to its consideration upon the disposition of the Defense Appropriations Bill.

Nomination Agreement: A unanimous-consent agreement was reached providing that at 10 a.m., on Thursday, June 24, Senate begin consideration of the nomination of John C. Danforth, of Missouri, to be a U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations. **Page S7275**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. Ex. 141), Juan R. Sanchez, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Pages S7226–28, S7276**

By unanimous vote of 94 yeas (Vote No. Ex. 142), Walter D. Kelley, Jr., of Virginia, to be United States District Judge for the Eastern District of Virginia. **Pages S7228–29, S7276**

Messages From the House: **Page S7306**

Measures Referred: **Page S7306**

Measures Placed on Calendar: **Page S7306**

Enrolled Bills Presented: **Page S7306**

Executive Communications: **Pages S7306–08**

Petitions and Memorials: **Pages S7308–11**

Additional Cosponsors: **Pages S7311–12**

Statements on Introduced Bills/Resolutions: **Pages S7313–26**

Additional Statements: **Pages S7303–06**

Amendments Submitted: **Pages S7326–45**

Authority for Committees to Meet: **Pages S7345–46**

Privilege of the Floor: **Page S7346**

Record Votes: Eleven record votes were taken today. (Total—146) **Pages S4821–24, S7288–90, S7299**

Adjournment: Senate convened at 9:31 a.m., and adjourned at 11:45 p.m., until 10 a.m., on Thursday, June 24, 2004. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on pages S7275–76.)

Committee Meetings

(Committees not listed did not meet)

PESTICIDE AND PRICE COMPETITIVENESS

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Production and Price Competitiveness concluded a hearing to examine S. 1406, to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit the Administrator of the Environmental Protection Agency to register a Canadian pesticide, after receiving testimony from Senator Dorgan; Adam Sharp, Associate Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, Environmental Protection Agency; Jim Gray, North Dakota Department of Agriculture, Bismarck, on behalf of the National Association of State Departments of Agriculture; Mark Gage, Page, North Dakota, on behalf of the National Association